

Dear Senators:

Please enter this in to the record on my behalf – a two day roundtrip to be there in person on the morning of June 28, 2011 at 8:00am is not feasible at this time.

I am the Supervisor for the Charter Township of Portage located in Houghton County. I have been in this position for approximately one year. Previous to that I spent over 36 years working with two State DNR's and the Federal USDA – Natural Resources Conservation Service (NRCS). Most of my professional career has been spent working in the environmental/ conservation fields dealing with soils interpretations, erosion problems, contract administration, forestry, hydrology, wildlife biology, fisheries, urban flooding, etc.

I basically inherited the Valley View Quarry (VVQ) situation in this Township when I assumed my present position.

I served as an expert witness concerning the USDA's Soil Survey and it's interpretations during the 12 Circuit Court proceedings held under Judge Roy Gotham concerning the VVQ case.

Since that decision I have some misgivings/concerns about the accuracy/factual nature of some of the information presented to our Representatives and now to legislative Committees. What follows are but a few corrections that should be made based on sworn testimony, the earlier court case and actions taken or not taken by the Township Board of Trustees.

>> At the an earlier Senate Joint Committee hearing held on June 23, 2011; Mr. Mike Wilmers indicated that he represented Portage Township. He did not and does not have the right to make that claim. The Township Board of Trustees did **not** confer to him any "official" representative powers on behalf of Portage Township.

>> This quarrying operation is in direct violation of our Zoning Law. The VVQ is an illegal operation/land use within the Township's Rural Residentially zoned area.

>> Where VVQ is located in the NW ¼ of Section 15 there had been **no** historic mining of any sort prior to the quarry's commencement in 2006 which is also confirmed by Bill Bingham's letter to Gary Moyle dated June 12, 2009. During the Gotham proceedings' and in his opinion (Part A) the VVQ did not have any sort of "grandfathered status".

>>Scarcity of this kind of basaltic aggregate has been very overstated – there are a number of working pits found within Houghton County that can supply this kind of basaltic aggregate and in the needed volumes demanded by our communities marketplace.

Lastly, in my opinion in the rush to move this bill forward, we the Townships throughout the State, will have a much lessened say in our local land use/zoning issues if we could only regulate natural resource extraction in those situations defined as posing a "very serious consequences". What are serious consequences?? It sounds like we need to carefully define that so it is somewhat agreeable and defensible for all affected parties throughout the State before moving forward with House Bill 4746.

Thank you for your time and consideration.

Bruce Petersen
Portage Township Supervisor